

REMARKS

Following entry of the above amendments, claims 1, 5-13, and 17-30 will be pending. Claim 1 has been amended to move a three-word phrase, without any intended change in scope. Claims 13 and 20 have been amended to change "housing" to "body," for consistency in language. Claim 21 has been amended to remove extraneous language. Claims 25-30 have been added.

The specification has been amended to change a reference number, to conform to the drawings.

Allowable Subject Matter

The indication that claims 8-12 and 20-24 constitute allowable subject matter is noted with appreciation.

Objection to the Claims

Claims 1 and 5-12 stand objected to. Claim 1 has been amended as suggested by the Examiner, to render moot the objection.

Prior Art Rejections

Claims 1, 5-7, 13, and 17-19 stand rejected under 35 USC 102(b) as anticipated by Kies et al., U.S. Patent No. 6,050,766 ("Kies").

With regard to claim 1, Kies fails to teach or suggest the following recited features: 1) a body adapted to be secured to a building structure; 2) slots in opposite side walls of a sheet metal housing, to receive an insert clip; and 3) angled projections to guide tips of legs of the insert clip from one set of the slots to another set of the slots. Kies's sheet metal housing 10, cited in the Action as corresponding to the recited body, is not adapted to be secured to a building structure. Nor does Kies or the art in general appear to suggest any sort of modification of Kies's sheet metal body 10 to make it

adapted to be secured to a building structure.

Kies also does not teach or suggest slots in opposite side walls of a sheet metal housing, to receive an insert clip. Though Kies's slots 22 and 23 are cited in the Action as corresponding to this feature, the slots 22 and 23 are in a single wall of Kies's sheet metal housing 10 – the wall made up by the bended tabs 40-45. Kies does not use any other slots for receiving the legs 66 and 67 of its clip 12. Thus Kies does not teach or suggest the recited "slots in opposite side walls."

Finally Kies does not teach or suggest the recited "angled projections to guide tips of the legs of the insert clip from one set of the slots to another set of the slots." Kies only has one set of slots – there is nothing in Kies that could reasonably be construed as the recited other set of slots. And Kies does teach or suggest the recited angled projections. Kies's tabs 54 and 55, which are cited in the Action, are not angled and do not provide the recited interaction with the clip's spring legs. The tabs 54 and 55 only interact with one leg, the leg 67, and do not involve guidance from one set of slots to another.

From the foregoing it can be seen that Kies fails to teach or suggest many of the recited features of claim 1. Claims 1 and 5-7 are therefore patentable over Kies for multiple reasons.

Claim 13 is patentable over Kies for similar reasons, in that Kies does not teach or suggest: 1) a sheet metal body with a first portion adapted to be fixed to a building structure; 2) parallel slots in opposite side walls to receive an insert clip; and 3) a body with angled projections to guide tips of the legs from one set of the slots to another set of the slots.

In addition, Kies fails to teach or suggest some of the additional features recited in the dependent claims. Claims 5 and 17 recite that the angled projections engage and back up the legs to hold the thread forms against the rod. Kies's tabs 54 and 55 engage only one leg. Claims 6 and 18 recite that the tips of the legs project through the slots of

one wall when the insert clip is fully inserted in the slots of the other. Kies's legs 66 and 67 only go through one set of slots, the slots 22 and 23.

Newly-Added Claims

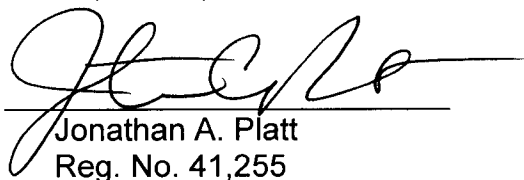
Newly-added claims 25-30 depend ultimately upon claim 1, and are patentable for at least the reasons given above for the patentability of claim 1. In addition, it is believed that at least some of the additional features recited in claims 25-30 are not taught or suggested by Kies.

Conclusion

For at least the foregoing reasons, withdrawal of the rejections of the claims is respectfully requested, in which event this application would be in condition for allowance. Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

No fee is believed due with the filing of this paper. In the event additional fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to Deposit Account No. 18-0988 (Charge No. ERICP0347US).

Respectfully submitted,
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